

A RESOLUTION
STATING THE CITY OF WICHITA IS CONSIDERING THE
ESTABLISHMENT OF A REDEVELOPMENT DISTRICT
FOR THE MAIZE 54 REDEVELOPMENT DISTRICT
UNDER AUTHORITY OF K.S.A. 12-1770 ET SEQ.

WHEREAS, the provisions of K.S.A. 12-1770, et seq., as amended, set forth the procedure for the establishment of a redevelopment district for certain purposes in eligible areas; and

WHEREAS, the City of Wichita (the "City") is considering the establishment of a redevelopment district in a blighted area to be known as the "Maize 54 Redevelopment District" to promote the general and economic welfare of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS;

Section 1. That the City is considering the establishment of a redevelopment district to be known as the Maize 54 Redevelopment District.

Section 2. That the City will hold a public hearing to consider the establishment of such redevelopment district on November 20, 2012 at 9:30 a.m., or as soon thereafter as possible, in the City Council Chambers, City Hall, 455 North Main Street, Wichita, Kansas.

Section 3. That a legal description of the proposed Maize 54 Redevelopment District is set forth in **Exhibit A** attached hereto and incorporated herein by reference. A map generally outlining the boundaries of the proposed Maize 54 Redevelopment District is attached hereto as **Exhibit B** and incorporated herein by reference

Section 4. That the redevelopment district plan identifying proposed redevelopment project areas along with a general description of the buildings, facilities, and improvements that are proposed to be constructed or improved in the redevelopment district is attached hereto as **Exhibit C** and incorporated herein by reference.

Section 5. That a description and map of the proposed redevelopment district shall be available for inspection by the public in the City Clerk's Office, City Hall, 13th Floor, 455 North Main Street, Wichita, Kansas, from 8:00 a.m. until 5:00 p.m., Monday through Friday, from the 16th of October, 2012 until November 20, 2012.

Section 6. That the Governing Body will consider making findings necessary for the establishment of a redevelopment district at the public hearing set to be heard herein.

Section 7. That a copy of this resolution shall be delivered to the Sedgwick County Board of County Commissioners, and to the Board of Education of Unified School District No. 265. Copies of this resolution shall also be mailed by certified mail, return receipt requested, to each owner and occupant of land within the proposed redevelopment district not more than ten (10) days following the date of the adoption of this resolution.

Section 8. That this resolution shall be published once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the proposed redevelopment district in sufficient detail to advise the reader of the particular land proposed to be included within the redevelopment district shall be published with the resolution.

PASSED AND APPROVED by the Governing Body of the City of Wichita, Kansas, this 16th, day of October, 2012.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Gary E. Rebenstorf, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

Beginning at a point of intersection with the south right of way line of Hayden Street and the west right of way line of Maize Road; thence east to the east right of way line of Maize Road; thence south on the said east right of way line of Maize Road to a point of intersection with the north line of the SW $\frac{1}{4}$, Section 29, Township 27 South, Range 1 West of the 6th P.M.; thence east on said north line of said SW $\frac{1}{4}$ for a distance of 1,488.72 feet to a point of intersection with the east line of a tract of land described in Condemnation Case 06CV-3456; thence south on the east line of said Condemnation Case 06CV-3456 to a point of intersection with the north line of Miles Lakewood Village Second Addition, Wichita, Sedgwick County, Kansas; thence west on said north line of said Miles Lakewood Village Second Addition to the northwest corner of said Addition; thence south on the west line of said Miles Lakewood Village Second Addition to a southwest corner of said Addition; thence east on a south line of said Miles Lakewood Village Second Addition to a corner of said Addition; thence south on a west line of said Miles Lakewood Village Second Addition to a point of intersection with a northeast corner of Maize 54 Addition, Wichita, Sedgwick County, Kansas; thence south on the east line of said Maize 54 Addition to a point of intersection with the north right of way line of Kellogg Drive; thence southwesterly on a south line of said Maize 54 Addition 419.31 feet to a corner in said Maize 54 Addition; thence south on an east line of said Maize 54 Addition 125 feet to a corner of said Maize 54 Addition, said corner being on the north right of way line of Kellogg Drive; thence continuing south for a distance of 95 feet more or less to the south right of way line for Kellogg Drive; thence west on said south right of way line of Kellogg Drive to the a point of intersection with the west right of way line extended of Maize Road; thence north on the west right of way of Maize Road to point lying 770.16 feet south of the northeast corner of the SE $\frac{1}{4}$, Section 30, Township 27 South, Range 1 West of the 6th P.M.; thence west for a distance of 380 feet; thence northwesterly to a point lying 670.14 feet south of and 474 feet west of said northeast corner of said SE $\frac{1}{4}$, Section 30, Township 27 South, Range 1 West; thence west 526 feet; thence north 335.08 feet; thence west 290 feet to the east line of Lark Lane; thence north along the east line of Lark Lane to a point of intersection with the south right of way line of Hidden Valley Road; thence east on the south right of way line of Hidden Valley Road to a point of intersection with the west right of way line of Maize Road; thence north on the west right of way line of Maize Road to the point of beginning.

EXHIBIT "B"

Proposed Maize 54 Redevelopment District

City of Wichita, Kansas

Proposed
Maize 54
Redevelopment
District



Property Parcels outside
Maize 54 Redevelopment
District



Property Parcels inside
Maize 54 Redevelopment
District



Software: ArcGIS 9.3.1
Hardware: Dell Xeon
Printer: HP 5000 Plotter

Map Data Source:
Property Parcels
provided by
Sedgewick County GIS

Road Centerlines
provided by
City of Wichita

Created: August 7, 2012 3:10:22 PM
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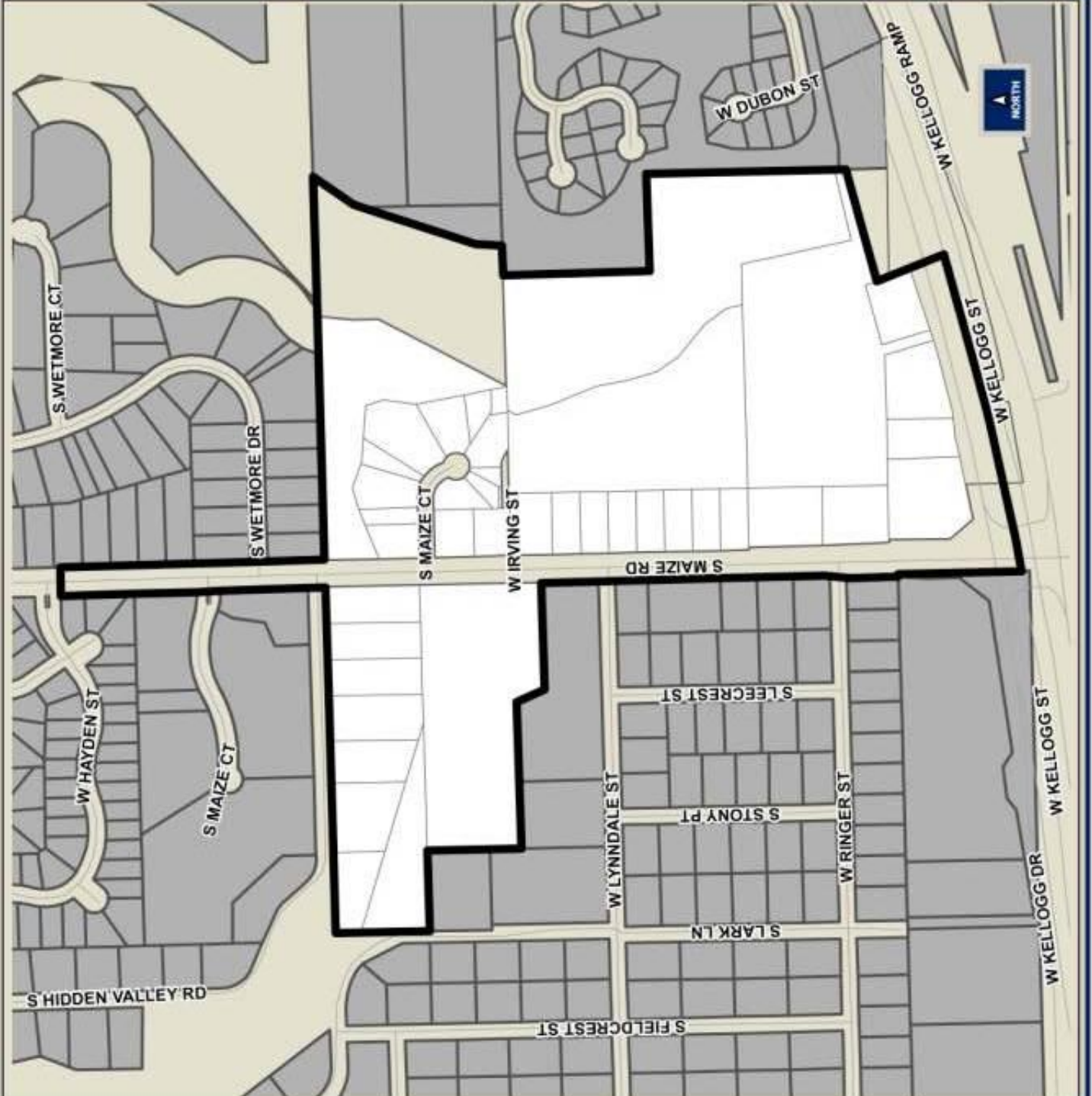


EXHIBIT C
REDEVELOPMENT DISTRICT PLAN FOR THE REDEVELOPMENT
OF THE MAIZE 54 REDEVELOPMENT DISTRICT
THROUGH TAX INCREMENT FINANCING

October 16, 2012

SECTION 1: PURPOSE

A district plan is required for inclusion in the establishment of a redevelopment district under K.S.A. 12-1771. The district plan is a preliminary plan that identifies proposed redevelopment project areas within the district, and describes in a general manner the buildings, facilities and improvements to be constructed or improved.

SECTION 2: DESCRIPTION OF TAX INCREMENT INCOME

Projects financed through tax increment financing typically involve the creation of an “increment” in real estate property tax income. The increment is generated by segregating the assessed values of real property located within a defined geographic area such that a portion of the resulting property taxes flow to the City to fund projects in the redevelopment district, and the remaining portion flows to all remaining taxing jurisdictions. The portion of property taxes flowing to the City is determined by the increase in the assessed value of the properties within the redevelopment district as a result of the new development occurring within the same area. When the current aggregate property tax rates of all taxing jurisdictions are applied to this increase in assessed property value from new development, increment income is generated. Public improvements within the district and other qualified expenditures are funded by the City and repaid over a specified period of time with this increment income. The property taxes attributable to the assessed value existing prior to redevelopment, the “original valuation,” continue to flow to all taxing jurisdictions just as they did prior to redevelopment. This condition continues for the duration of the established district, as defined by statute, or until all eligible project costs are funded, whichever is of shorter duration.

SECTION 3: DESCRIPTION OF THE DISTRICT BOUNDARIES

The property within the proposed district is generally located North of Kellogg Street and east of Maize Road; it includes approximately 86.5 acres, in Wichita, Sedgwick County, Kansas; and including all street rights of way within such described areas. The legal description of the proposed district is attached hereto and incorporated herein as Exhibit 1.

SECTION 4: BUILDINGS AND FACILITIES

The proposed redevelopment district is an area that meets the criteria for designation as a “blighted area” as defined by state law governing the establishment and financing of redevelopment districts. Property within a blighted area is legally eligible for establishment of a redevelopment district.

Under the state statutes (K.S.A. 12-1770, et. seq.) an “eligible area” for tax increment financing may include any area defined as a blighted area. The statutory definition of

“blighted area” includes any area in which a majority of the property lies within the 100-year floodplain (KSA 12-1770(c) (3)). It has been determined that the majority of the proposed Project Area property lies within the 100-year floodplain following an engineer’s review of the flood plain map.

SECTION 5: REDEVELOPMENT AND PROJECT AREAS

It is anticipated that property within district will be redeveloped in multiple phases and each phase will be designated as a separate “project area” under a separate project plan, which must be adopted by the City Council by a 2/3 majority vote for each phase before the expenditure of any tax increment financing funds. The Phasing of the project areas is notionally depicted in Exhibit 2 attached hereto. The plans for redevelopment of the district generally call for development of all 86.5 acres into a mixed use development anchored by the Bowllagio, a family entertainment center with bowling as the primary attraction, coupled with a restaurant and bar operation and state-of-the-art gaming attractions. In addition to the Bowllagio, the development is anticipated to include hotels, restaurants and retail shops.

In addition to above stated uses of tax increment financing, the City will stipulate in the project plans for each phase that an amount equal to sixty-five percent (65%) of the tax increment realized from taxpayers in the district shall be allocated by the County Treasurer to the City to finance authorized project costs and the remainder shall be allocated and paid to taxing districts in the same manner as other ad valorem taxes. Tax increment financing may not be used to pay for construction of any buildings owned by or leased to a private, nongovernmental entity.

SECTION 6: CONCLUSION

After the establishment of the redevelopment district, any redevelopment projects to be funded with tax increment financing will be presented to the Governing Body for approval through the adoption of a Redevelopment Project Plan. The Project Plan will identify the specific project area located within the established tax increment financing district and will include detailed descriptions of the projects as well as a financial feasibility study showing that the economic benefits out-weigh the costs. The Project Plan must be reviewed by the Metropolitan Planning Commission and submitted to a public hearing following further notification of property owners and occupants, before it can be adopted by a two-thirds majority vote of the Governing Body. Only then can tax increment income be spent on the redevelopment projects.

Tax increment financing does not impose any additional taxes on property located within the redevelopment district. All property within the district is appraised and taxed the same as any other property. However, if property within the district increases in value as a result of redevelopment, the resulting increment of additional tax revenue is diverted to pay for a portion of the redevelopment costs.

EXHIBIT 1

LEGAL DESCRIPTION

Beginning at a point of intersection with the south right of way line of Hayden Street and the west right of way line of Maize Road; thence east to the east right of way line of Maize Road; thence south on the said east right of way line of Maize Road to a point of intersection with the north line of the SW $\frac{1}{4}$, Section 29, Township 27 South, Range 1 West of the 6th P.M.; thence east on said north line of said SW $\frac{1}{4}$ for a distance of 1,488.72 feet to a point of intersection with the east line of a tract of land described in Condemnation Case 06CV-3456; thence south on the east line of said Condemnation Case 06CV-3456 to a point of intersection with the north line of Miles Lakewood Village Second Addition, Wichita, Sedgwick County, Kansas; thence west on said north line of said Miles Lakewood Village Second Addition to the northwest corner of said Addition; thence south on the west line of said Miles Lakewood Village Second Addition to a southwest corner of said Addition; thence east on a south line of said Miles Lakewood Village Second Addition to a corner of said Addition; thence south on a west line of said Miles Lakewood Village Second Addition to a point of intersection with a northeast corner of Maize 54 Addition, Wichita, Sedgwick County, Kansas; thence south on the east line of said Maize 54 Addition to a point of intersection with the north right of way line of Kellogg Drive; thence southwesterly on a south line of said Maize 54 Addition 419.31 feet to a corner in said Maize 54 Addition; thence south on an east line of said Maize 54 Addition 125 feet to a corner of said Maize 54 Addition, said corner being on the north right of way line of Kellogg Drive; thence continuing south for a distance of 95 feet more or less to the south right of way line for Kellogg Drive; thence west on said south right of way line of Kellogg Drive to the a point of intersection with the west right of way line extended of Maize Road; thence north on the west right of way of Maize Road to point lying 770.16 feet south of the northeast corner of the SE $\frac{1}{4}$, Section 30, Township 27 South, Range 1 West of the 6th P.M.; thence west for a distance of 380 feet; thence northwesterly to a point lying 670.14 feet south of and 474 feet west of said northeast corner of said SE $\frac{1}{4}$, Section 30, Township 27 South, Range 1 West; thence west 526 feet; thence north 335.08 feet; thence west 290 feet to the east line of Lark Lane; thence north along the east line of Lark Lane to a point of intersection with the south right of way line of Hidden Valley Road; thence east on the south right of way line of Hidden Valley Road to a point of intersection with the west right of way line of Maize Road; thence north on the west right of way line of Maize Road to the point of beginning.

MASTER SITE PLAN

PROJECT DATA

PHASE	SUB PHASE	ACRES	SITE SF	BUILDING SF
BOWLING	BOWLING	4.05 A.	107,200 SF	81,000
	POOL	1.08 A.	80,000 SF	81,000
	CONCRETE DRIVEWAY	2.07 A.	110,000 SF	CONCRETE DRIVEWAY 121,000
SUBTOTAL		7.20 A.	297,200 SF	263,000
	RESTAURANT 1	0.80 A.	40,000 SF	40,000
	RESTAURANT 2	1.18 A.	59,400 SF	59,400
SUBTOTAL		1.98 A.	99,400 SF	99,400
	RESTAURANT 3	0.03 A.	1,500 SF	1,500
	RESTAURANT 4	1.01 A.	40,000 SF	40,000
COMMERCIAL	COMMERCIAL	1.68 A.	82,200 SF	82,200
	COMMERCIAL DRIVEWAY	2.26 A.	113,000 SF	CONCRETE DRIVEWAY 121,000
		3.94 A.	195,200 SF	195,200
SUBTOTAL		5.88 A.	290,200 SF	290,200
	OFFICE 1	1.71 A.	85,000 SF	85,000
	OFFICE 2	2.20 A.	110,000 SF	110,000
SUBTOTAL		3.91 A.	195,000 SF	195,000
	RESTAURANT 1	0.01 A.	500 SF	500
	RESTAURANT 2	0.01 A.	500 SF	500
COMMERCIAL DRIVEWAY	COMMERCIAL DRIVEWAY	2.00 A.	110,000 SF	CONCRETE DRIVEWAY 121,000
		4.00 A.	220,000 SF	220,000
		4.00 A.	220,000 SF	220,000
SUBTOTAL		8.00 A.	440,000 SF	440,000
		20.00 A.	1,000,000 SF	1,000,000
		20.00 A.	1,000,000 SF	1,000,000

LEGEND

- ENTERTAINMENT
 - RESTAURANT
 - RETAIL/COMMERCIAL
 - OFFICE
 - HOSPITALITY
 - PARKING
 - DRIVEWAY
 - COMMERCIAL
- PHASE BOUNDARY
- SUB-PHASE BOUNDARY

